



TOWN OF WENHAM

Wenham Conservation Commission
Meeting of Monday July 23, 2007 ~ 7:30 pm
Senior Center, School Street

Present: Patrick Wilson, Chair; Leo Maestranzi; Phil Colarusso; Robert Burnett; Malcolm Reid
Ken Whittaker (7:36pm)

Also Present: Emilie Cademartori, Conservation Commissioner; Catherine Tinsley, Secretary

Public information available:

Agenda

Abbreviations used:

CC – Conservation Commission

DEP – Department of Environmental Protection

Mr. Wilson opened the meeting at 733 pm and identified the agenda and noted that it is requested that 363 Grapevine Road is continued, therefore the applicant is not present.

Regarding Pleasant Pond Beach Notice of Intent, the Order of Conditions is not complete at this time.

Continued Notice of Intents

- 363 Grapevine Rd (DEP file 326-0298)
- Pleasant Pond (DEP file 326- 0299)
- Horse Hill Land (DEP 326-0301) – Request for continuance by applicant's attorney.

New ANRAD (Abbreviated Notice of Resource Area Delineation

75 & 79 Arbor Street ROSC

Mr. Colarusso recused himself from this application as an abutter.

Elizabeth Wallis, Wetland Scientist from Hayes Engineering was present to address the Board regarding 75 Arbor Street.

Ms Wallis reported that a depression is flagged as a vegetative wetland and also an isolated land subject to flooding.

She went on to identify;

Buffer zones

Wetland intrusions in the property

Southern side woodland area

A potential vernal pool is under investigation

The Commission requested a site visit; it was noted that the area is flagged. Ms Wallis will seek permission from the property owners to mark the 100 foot set back for the site visit.

A site visit was planned for the following morning to include the Commissioners, Mr. Gourdeau and Ms. Wallis.

The Chair called for questions from the abutters. There were none

Mr. Whittaker made a motion to continue the hearing

Voting in favor: Patrick Wilson; Leo Maestranzi; Phil Colarusso; Robert Burnett; Malcolm Reid; Ken Whittaker

Opposed: None

MOTION CARRIED

Enforcement Orders/Violations

Enforcement Orders

2 Onion River Rd (Chansky) – Rich Kirby will attend to request a plan change

19 Hull Street (Ingemi) Rich Kirby

19 Hull Street – (Ingemi) Rich Kirby – Consultant

Ms. Cademartori reported that the owner has not responded to her attempts to contact him and the enforcement order remains in affect. Additional work needs to be completed. A letter of explanation will be sent to the property owner.

The Commissioners requested that the home owner give permission for a site visit by the Commissioners with Mr. Kirby.

Mr. Kirby did not have permission from the home owner to represent him at the meeting.

In order to have the enforcement order lifted, a site visit is necessary with Mr. Kirby and home owner who will be given direction of what needs to be done to satisfy the Commission.

2 Onion River Road

Ms. Cademartori identified that the Commission is possession of a written request for an amendment to an existing Order of Conditions for 2 Onion River Road.

Ms. Cademartori reported that she met with the consultant Mr. Kirby, on site.

She reviewed that the original order required signage to be placed around the wetlands marking the Conservation area. The Coordinator identified certain trees for the placement of the signs.

Ms. Cademartori went on to say the trees that were chosen to be saved have been determined to be diseased hemlocks, therefore alternate, healthy trees have been selected to remain; two oak trees and one walnut tree all of substantial size and in the same proximity.

They also request to plant an additional four to five enhancement trees in the 30 foot buffer, no disturb area. Permission must be granted to remove the trees and relocate the previously approved location of the fence and wall.

The Commission responded that the Proposal needs to be adjusted to read “as amended”.

A memorandum was sent to the Commission. If counsel approved, the memo will be attached as an addendum.

43 Pleasant Street

Ms Cademartori told the Commissioners that the previous Coordinator noted that an additional stairwell was built on the slope, in the buffer zone (90/100 feet) and that additional trees were cut near the retaining wall.

Ms Cademartori stated that she has no reference to the original plans. At their convenience, the Commissioners will look at the site but without entering the property. The coordinator will follow up with the home owner.

Longfellow Road

The Commissioners acknowledged the receipt of a complaint that many trees have been cut by the property owner.

The Coordinator made a site visit and noted the removal of trees.

The home owner will be contacted and informed of the harm to the wetlands and the bylaws of the Town.

NEW ITEMS

Iron Rail Property

Ted Batchelor – Regarding H/W Youth Soccer at Iron Rail

Mr. Batchelor was present to request to increase the drainage around the Iron Rail Soccer Field citing that the culvert has lot of water coming through causing flooding and damage to the field.

The applicant was asked to stake out the Wetlands and to file a Request for Determination.

The Commission will require that the project remain outside the 30 foot no disturb zone.

Also on the Iron Rail property, Mr. Batchelor referred to the small field adjacent to the public works building and questioned what needs to be done to satisfy the Commission for the expansion and use athletic use of the existing field.

The Commissioners will do an informal site walk. It was noted that there is heavy bramble growth in the area. Dry wells will be marked on the plans for the Commissioners.

Beaver dams - Ken Whittaker recused himself.

The Coordinator was recently informed by the Town Administrator that the beavers are returning to the areas already addressed by the Town.

The Commission briefly discussed how to best approach the permitting.

No decision was made at this time.

Signatures on Certificate of Compliance - DEP file 326-0295

Burnham Road Culvert Project

Extension Order – DEP file 326 0266) RE Mass Audubon invasive grass control project

Mr. Reid made a motion to accept the June 25, 2007 minutes as written.

Voting in favor: Patrick Wilson; Leo Maestranzi; Phil Colarusso; Robert Burnett; Malcolm Reid; Ken Whittaker

Opposed: None

MOTION CARRIED

Mr. Reid made a motion to accept the July 9, 2007 minutes as written.

Voting in favor: Patrick Wilson; Leo Maestranzi; Phil Colarusso; Robert Burnett; Malcolm Reid; Ken Whittaker

Opposed: None

MOTION CARRIED

Finance Committee update

Regarding legal expenses, it was reported that the CC was over budget in FY07.

It has been asked that the CC keep the Selectmen, Finance Committee and Town Counsel informed of all current legal situations requiring counsel.

Building Permits

Regarding the Town's Building permitting process, it was the consensus of the Commissioners that the Coordinator use her discretion and to be consistent in using her judgment and sign the permits and that a "Request for Determination" be filed if there is a need for a review by the CC.

9:26 pm Mr. Reid made a motion to adjourn and it was unanimous to do so.